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December 26, 2023

**By ECF & Email**

Hon. Mary Kay Vyskocil  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: United States v. David Dorsett  
23 Cr. 351 (MKV)

Dear Judge Vyskocil:

I am the attorney for David Dorsett, the defendant in the above-named matter, who is scheduled to be sentenced on January 18, 2024. This letter is respectfully submitted to request that Mr. Dorsett be temporarily released from custody so that he can visit with his father who is expected to die any day. The government, by AUSA Amanda Weingarten, objects to this request.

As explained in our previous applications for release, which the Court denied (*see* Dkt. 25, November 13, 2023; Dkt. 27, November 15, 2023), Mr. Dorsett's father, Raymond Dorsett, has been suffering from liver failure and related complications since November 1, 2023. As was expected, Raymond's health has rapidly declined and he is currently in a hospice facility where he is receiving end of life care. A letter from the hospice facility is attached hereto, which states that as of December 23, 2023, Raymond has "less than a week to a few days" to live.

Mr. Dorsett has been incarcerated at the Metropolitan Detention Center ("MDC") since being transferred to this district after his arrest. He has served over five months in custody. Since December 7, 2023, Mr. Dorsett has been held at an offsite medical facility after being diagnosed with diverticulitis, an infection of the digestive system<sup>1</sup>; however that condition has since worsened to C. Diff. Colitis (*clostridoides difficile* colitis) aka "C-Diff" a germ bacteria that causes inflammation of the colon, diarrhea and pain in the abdomen. Since being admitted to the hospital Mr. Dorsett has not been permitted to make phone calls with his family during this extraordinarily difficult time. He was able to make a phone call to counsel for the first time a few days ago. As the Court is likely aware, the MDC has been (and continues to be) on lockdown for

<sup>1</sup> This is Mr. Dorsett's second time being admitted to a hospital for this condition. He was previously hospitalized for approximately ten days in November 2023.

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quite some time which meant that there were no social or legal calls prior to Mr. Dorsett's admission to the hospital. It is also my understanding that the MDC will continue to be on lockdown until at least January 4, 2024.

Given this change in circumstances, including the fact that Mr. Dorsett's father is expected to die any day now, and that Mr. Dorsett is currently diagnosed with a painful medical condition for which he is currently hospitalized, and the fact that he has been completely cut off from his family during this extremely difficult time, we respectfully request that Mr. Dorsett be temporarily released to visit with his father before he dies and to spend time with his family after his death. It is respectfully submitted that the factors under 18 U.S.C. § 3142 indicate that Mr. Dorsett is no longer likely to flee or pose a danger given these changed circumstances.

Specifically, it is requested that Mr. Dorsett be immediately released from custody with the requirement that he surrender to custody one week after his father's death, with the condition that he be subject to electronic monitoring and be required to check in with Pretrial Services each day.

The Court's time and attention to this matter is greatly appreciated.

Respectfully submitted,  
/s/  
Jeremy Schneider

cc: AUSA Amanda Weingarten (by ECF & Email)

**The Defendant's request is GRANTED with the requirement that Defendant surrender to custody no more than one week after his father's death, and with the condition that Defendant be subject to electronic monitoring. Defendant is further required to check in with Pretrial Services each day. SO ORDERED.**

Date: 12/27/2023  
New York, New York

  
Mary Kay Vyskocil  
United States District Judge